## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

VICTORIA EVANOFF, as Administrator of : CIVIL ACTION

the ESTATE OF JOHN EVANOFF,

DECEASED : No. 5:23-cv-03417-JFL

Plaintiff,

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vs.

MARSH USA, LLC,

THERESE PERRETTE, and

JOHN DOE DEFENDANTS # 1-2

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Defendants.

## DEFENDANTS' MOTION TO BIFURCATE TRIAL INTO SEPARATE LIABILITY AND DAMAGES PHASES

AND NOW, Defendants Marsh USA, LLC ("Marsh USA") and Therese Perrette (together, "Defendants"), by and through their undersigned counsel, Goldberg Segalla LLP, respectfully submit the within Motion to Bifurcate Trial into Separate Liability and Damages Phases pursuant to Federal Rule of Civil Procedure 42(b).

A Brief, Exhibits, and Proposed Order are being filed herewith and are incorporated herein by reference.

WHEREFORE, Defendants respectfully request that the Court enter Order, substantially in the form appended hereto, granting Defendants' Motion to Bifurcate Trial into Separate Liability and Damages Phases.

## Respectfully submitted,

Dated: April 2, 2024 GOLDBERG SEGALLA LLP

## /s/ Michael P. Luongo

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Attorneys for Defendants Marsh USA, LLC and Therese Perrette **CERTIFICATE OF NON-CONCURRENCE** 

I, Michael P. Luongo, Esq., hereby certify that I contacted counsel for Plaintiff regarding

possible concurrence with Defendants' Motion to Bifurcate Trial Into Separate Liability and

Damages Phases and that Plaintiff's counsel did not concur with Defendants' Motion.

<u>s/ Michael Luongo</u>

Michael P. Luongo, Esq.

Dated: April 2, 2024

**CERTIFICATE OF SERVICE** 

I, Michael P. Luongo, Esq., hereby certify that a true and correct copy of the forgoing

Motion to Bifurcate Trial into Separate Liability and Damages Phases was served on all counsel

of record via ECF on the date below.

s/ Michael Luongo

Michael P. Luongo, Esq.

Dated: April 2, 2024